

22 AUG 1983

Mr. B. J. Gerardy
Vice President-Engineering
RMI Titanium, RMI Company
P.O. Box 269
Niles, Ohio 44446

Re: RMI Company, Sodium Plant
Consent Agreement and Final Order
OH 000810242
Docket No. V-W-82-R-022

Dear Mr. Gerardy:

This is to acknowledge receipt of the Consent Agreement and Final Order signed by you. A fully executed copy of each Consent Agreement and Final Order is enclosed for your files.

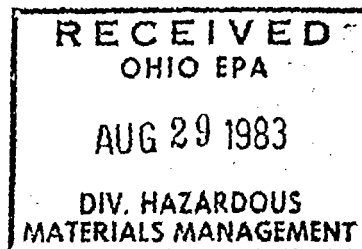
Your cooperation in resolving this matter is appreciated.

Very truly yours,

William H. Miner, Chief
Technical, Permits and Compliance Section

Enclosure

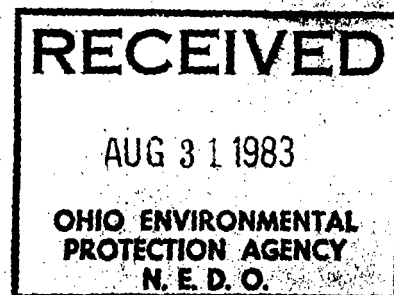
cc: Richard Shank, Chief
Enforcement, DHMM
Ohio Department of Natural Resources



EPA Region 5 Records Ctr.



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REGION V

DOCKET NO. V-W-82-R-022
CONSENT AGREEMENT
AND
FINAL ORDER

ecology and environment

3. Respondent conducts open burning of metallic sodium waste, a hazardous waste, at its sodium plant in violation of 40 CFR 265.382. Section 265.382 prohibits open burning of hazardous waste except for the open burning and detonation of waste explosives. Respondent's metallic sodium waste is not a waste explosive.
4. Respondent filed a Part A permit with U.S. EPA for operation of a hazardous waste management facility on August 25, 1981.
5. This Agreement and Order sets forth the complete understanding and agreement of the parties with respect to the subject matter hereof.
6. Respondent consents to the issuance of the Order hereinafter recited.

ORDER

A. Respondent, RMI Company, Sodium Plant, shall, effective immediately, maintain compliance with the following requirements:

1. Evaluate the various alternatives for the elimination of open burning at the Sodium Plant, with reports to be filed with U.S. EPA, for review and approval, Attention: Greg Weber, Waste Management Branch (5HW), 230 S. Dearborn, Chicago, Illinois 60604, as follows:
 - a. An initial progress report outlining the various alternatives and describing the alternative that will be implemented shall be filed with U.S. EPA not later than December 1, 1983.

- b. A second progress report containing the preliminary engineering design for the selected alternative shall be filed not later than February 1, 1984.
- c. The final report containing the final engineering, design, and construction schedule for the selected alternative shall be filed not later than March 20, 1984.

B. The Part A permit application submitted by Respondent on August 25, 1981, shall, pursuant to 40 CFR 122.22(a)(3), be accepted as if it timely filed.

C. Notwithstanding any other provision of this Agreement or Order, an enforcement action could be brought pursuant to Section 7003 of RCRA or other statutory authority should the U.S. EPA find the handling, storage, treatment, transportation or disposal of solid waste or hazardous waste at the facility presents an imminent and substantial endangerment to human health or the environment.

Agreed to this 10th day of August 1983
[Signature]
Respondent

Vice President-Engineering
Title RMI COMPANY

Agreed to this 18th day of August 1983

[Signature]
Basil G. Constantelos, Director
Waste Management Division
Complainant
U.S. Environmental Protection Agency
Region V